

Docket No.: 103864.139US1

PATENT/OFFICIAL

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled:

**AUTOMATED CONTAINER BULKING SYSTEM AND METHOD OPTIONALLY INTEGRATED WITH AUTOMATED DISPENSING SYSTEM AND/OR AUTOMATED LABELING AND PACKAGING SYSTEM,**

the specification of which

☐ is attached hereto OR

☒ was filed on August 6, 2003 as Application Serial No. 10/634,992.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<b>Prior Foreign Application(s):</b>			<b>Priority Claimed</b>	
<u>Number</u>	<u>Country</u>	<u>Day/Month/Year filed</u>	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under 35 USC 119(e) of any United States provisional application(s) listed below.

<b>Prior Provisional Application(s):</b>	
<u>Application Number</u>	<u>Filing Date</u>
60/401,340	August 7, 2002

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<b>Prior U. S. Non-Provisional Application(s):</b>		
<u>Serial No.</u>	<u>Filing Date</u>	<u>Status: Patented, Pending, Abandoned</u>
10/215,249	August 9, 2002	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby grant the firm of HALE AND DORR LLP the power to insert on this Declaration any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

I hereby appoint the following registered practitioners, Mark R. Daniel, Reg., No. 31,913 and James M. Hunter, Jr., Reg. No. 31,922 and all registered practitioners listed at **customer number 24395**:

Scott M. Alter, Reg. No. 32,879; Hollie L. Baker, Reg. No. 31,321; Barbara A. Barakat, Reg. No. 32,190; Steven D. Barrett, Reg. No. 40,903; Michael J. Bevilacqua, Reg. No. 31,091; Sally Byrne, Reg. No. 40,545; David L. Cavanaugh, Reg. No. 36,476; David J. Cerveney, Reg. No. 44,600; Nancy Chiu, Reg. No. 43,545; Michael A. Diener, Reg. No. 37,122; Peter M. Dichiaro, Reg. No. 38,005; Gregory S. Discher, Reg. No. 42,488; Irah H. Donner, Reg. No. 35,120; Neal Goldberg, Reg. No. 48,527; Richard A. Goldenberg, Reg. No. 38,895; Edward D. Grieff, Reg. No. 38,898; Joseph F. Haag, Reg. No. 42,612; Wendy A. Haller, Reg. No. 35,177; Anthony H. Kahng, Reg. No. 42,704; Wayne M. Kennard, Reg. No. 30,271; Ann-Louise Kerner, Reg. No. 33,523; Janice M. Klunder, Reg. No. 41,121; James B. Lampert, Reg. No. 24,564; Ayla A. Lari, Reg. No. 43,739; Nels Lippert, Reg. No. 25,888; Jane M. Love, Reg. No. 42,812; Maria L. Maebius, Reg. No. 42,967; Dominic Massa, Reg. No. 44,905; Robert McIsaac, Reg. No. 46,918; Tiffany Mendez, Reg. No. 50,160; Cynthia K. Nicholson, Reg. No. 36,880; Keum J. Park, Reg. No. 42,059; Tamera Pertmer, Reg. No. 47,856; Jason A. Reyes, Reg. No. 41,513; Gretchen A. Rice, Reg. No. 37,429; Mary Rose Scozzafava, Reg. No. 36,268; Victor F. Souto, Reg. No. 33,458; Donald R. Steinberg, Reg. No. 37,241; Colleen Superko, Reg. No. 39,850; C. Hall Swaim, Reg. No. 22,838; Leonid D. Thenor, Reg. No. 39,397; Michael J. Twomey, Reg. No. 38,349; Megan Valentine, Reg. No. 47,149; Rajesh Vallabh, Reg. No. 35,761; Gary A. Walpert, Reg. No. 26,098; Emily R. Whelan, Reg. No. 50,391; Lisa M. Wilson, Reg. No. 34,045; and Henry N. Wixon, Reg. No. 32,073,

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them at the address at **customer number 24395**, and specifically:

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Full name of sole or first inventor: James G. McErlean

Inventor's signature:



Date: 1/8/04

Residence: Allendale, New Jersey

Citizenship: United States

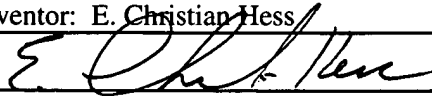
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Full name of second inventor: E. Christian Hess

Inventor's signature:



Date: 8 JAN 04

Residence: Flanders, New Jersey

Citizenship: United States

Post Office Address: 10 Carlton Road, Flanders, New Jersey 07836

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Full name of third inventor: Chih-Jen Leu

Inventor's signature:



Date: 01/08/04

Residence: East Brunswick, New Jersey

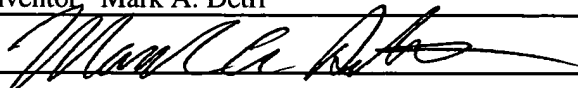
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Full name of fourth inventor: Mark A. Detri

Inventor's signature:



Date: 8 JAN 04

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